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combination of the first two chapters into one chapter, and the expansion of the third chapter into two, the table of contents of the new edition indicates but few changes in the work. The thirty pages that are cut off of its length are more than balanced by the three lines added to each page, and the relative space assigned to each topic is little changed. A careful examination of the body of the work reveals the fact, however, that the whole book has been carefully rewritten. The descriptive material is everywhere brought down to date, while nearly every page is improved by the introduction of some happy turn of expression or more telling illustration. Always an ardent believer in style as an indispensable adjunct to historical writing, the author in this latest work shows how much higher his own standard of literary execution has become since the book first saw the light in 1889. Since it is already in use as a text-book in Cambridge University, England, and in over a hundred colleges in this country, this new edition of "The State" is sure of a wide circulation. The publishers announce that a Japanese edition has recently been brought out.

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#### REVIEWS.

*Essays on the Civil War and Reconstruction.\** By WILLIAM ARCHIBALD DUNNING, Ph. D. Pp. 376. Price, \$2.00. New York: The Macmillan Company, 1898.

It would be difficult to find a more thorough corrective for many of the current misconceptions as to the place of our written constitution in the political life of the country than the series of essays contained in this volume. For this reason, if for no other, every student of political science will give it a warm welcome as an important contribution to American constitutional history. It is true that the author restricts the discussion within definite and rather narrow limits, but the period covered is fraught with so many political lessons that this limitation of scope is an advantage rather than a defect.

Probably no other period of American history has received such diverse constitutional interpretation, owing largely to the fact that few writers have as yet been able to divest themselves of the strong prejudices and passions which dominated the period. Furthermore, an adequate presentation of the subject requires a degree of discrimination and philosophic grasp which few writers possess. Owing to a

\* The following are the chapter headings: The Constitution of the United States in the Civil War; The Constitution of the United States in Reconstruction, Military Government during Reconstruction; The Process of Reconstruction; The Impeachment and Trial of President Johnson; Are the States Equal Under the Constitution? American Political Philosophy.

rare combination of these qualities, Professor Dunning has given us a series of pictures of the process of reconstruction which will certainly throw much light upon this obscure period of our constitutional development. Probably the quality which has contributed more than any other to the suggestiveness of the work is the readiness with which the author discards traditional constitutional formulæ when they do not harmonize with facts.

The story which Professor Dunning tells is one long conflict between the spirit of legality and the uncompromising necessities of military rule. In this conflict all the accepted theories of "sovereignty," of "division of governmental powers," of "constitutional checks and balances," were swept away in a current of political opinion which justified every arbitrary assumption of authority, first by the executive and then by the legislative. The author clearly shows that all the ordinary standards of constitutional interpretation are inadequate in judging the political events of the period. At one time or another every one of the safeguards to individual liberty were, for a time at least, in abeyance. The readiness with which Congress passed "indemnity acts," and the constant negation of the principle of individual official responsibility were extreme expressions of a settled determination on the part of the people of the North to break the power of the rebellious states and to make them conform to those standards of constitutional procedure which the North regarded as essential to the preservation of the union. One of the important phases of the reconstruction period which is brought out with great clearness in the essay on "The Constitution of the United States in the Civil War," is the undisputed sway of the political as distinct from the judicial organs of the government. In fact, the judiciary was in a condition of subservience to the executive and legislative, a position which stands in marked contrast with the relation before 1860 and after 1870. It is true that this temporary eclipse was largely of the judiciary's own making and is a signal tribute to the political wisdom and far-seeing judgment of the supreme and lower bench. In view of the state of popular feeling and the attitude of the legislative and executive, there is but little doubt that had the judiciary endeavored to assert its power in antagonism to the legislative or executive, the authority of that branch of our government would have received a blow from which it would never have recovered. It was a time when neither the people nor the political organs of the government would brook opposition.

Probably the most interesting chapter in the book is the essay on "The Constitution of the United States in Reconstruction" (pp. 63-136). The endeavor of political leaders in Congress and of

the President to formulate political theories to justify such a treatment of the rebellious states as they desired, furnishes one of the most curious illustrations of the adaptation of political theory to specific practical ends. The author shows with great skill how the theory of "forfeited state rights" was evolved as a compromise out of the various conflicting theories then advanced.

In the chapter on "Are the States Equal Under the Constitution?" a chapter which is but indirectly connected with the main topic of the work, Professor Dunning shows the wide differences in the treatment of territories upon their admission into the union and the nature of the restrictions upon state legislation which Congress has assumed to be within its constitutional powers. The broad interpretation of the power of Congress to admit states into the union has practically resulted in giving to the national government a control of some of the leading questions of state policy. The conclusion of the author is that "at no time since the formation of the present constitution have all the states of the union been in the enjoyment of equal powers under the laws of Congress."

Throughout the work, dealing as it does with some of the most complex and delicate problems of government, the author gives evidence of a political judgment and of an ability to weigh the merits and defects of political measures which few modern writers have equalled, and none excelled. The best evidence of this is to be found in his clear grasp of the situation that confronted the executive and legislative between 1863 and 1870. We are not burdened with long jeremiads on the "wounding of the constitution" or the "tyranny of popular majorities." The author clearly shows that the interests of the country were best served by the assumption of authority by the executive and legislative. Had the judiciary become involved in the struggle the process of reconstruction would have extended over a longer period and would have been attended with far greater evils.

If the present volume is an indication of the kind of work we are to expect of Professor Dunning, it is to be hoped that he will expand the fragmentary essay on "American Political Philosophy" with which he closes the book, approaching the subject in the same scientific spirit.

L. S. ROWE.

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*The Science of Political Economy.* BY HENRY GEORGE. Pp. xxxix, 545. Price, \$2.50. New York: Doubleday & McClure Co., 1898.

There are few real admirers of Henry George to whom the publication of this book will bring anything but keen regret. Under the